REMARKS

Applicant has amended claims 1-25 to better encompass the full scope and breadth of the invention notwithstanding Applicant's belief that the claims would have been allowable as originally filed. Accordingly, Applicant asserts that no claims have been narrowed within the meaning of *Festo*.

I. Rejection of Claim 6 Under 35 U.S.C. §112

Claim 6 stands rejected under 35 U.S.C. §112. Applicant has amended an oversight in Claim 5, which also serves to overcome 112 rejection regarding Claim 6.

II. Examiner Interview Thursday June 24, 2004

Proposed revisions to Claims 1-25 were discussed with Examiner. Though distinctions were made over Quatse and Trell during interview, Examiner expressed that revised claim1 reviewed at the time of interview amounted to only a business offer because there was no language in proposed revision to support the question of what constitutes a second phone number being meaningful to the subscriber. However, Claims 18-19 present steps of consulting a subscriber filter list in relation to determining availability of the second number, indicative that the second number may be of meaning or significance to the subscriber. Examiner rejects Claims 18-19 with Trell (col 2 lines 50-63). By taking a closer look at the reference this is simply not the case. Trell indicates subscriber initiating service to obtain phone number but provides no means of which phone number to select and only provides at best parameters relating to the length of subscription for subscribing to a temporary phone number. Neither Quatse nor Trell teach or have any reason to teach comparing a subscriber profile in order to assist in finding a number meaningful to the subscriber.

In light of the above, Applicant wishes to further revise Claim 1 in order to support notifying a subscriber when a potentially meaningful second number is available for subscription. Therefore, ***entry of the amendments is respectfully requested since they do not require further searching, and/or place the subject application in condition for allowance.***

III. Rejection of Claims 1-25 Under 35 U.S.C. §103(a) as being unpatentable over Quatse in view of Trell

Claims 1-25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Quatse (Reference A) U.S. Patent 5,991,368 in view of Trell (Reference B) U.S. Patent 6,393,117. Applicant respectfully requests reconsideration of this rejection for at least the following reasons.

Examiner bundles Claim 1, and 21-24 to make an argument that Reference A (Col. 1 lines 51-52, col 3 lines 10-16 and lines 32-33, and col. 5 lines 10-12) and Reference B (Col. 1 lines 49-50 and col 5 lines 44-50) shows, in combination, how Quatse and Trell obviate Applicant. The argument is primarily targeted to Claim 23 but only generalized with regard to Claim 1 and Claim 24.

Claim 1 and Claim 21-22 are of same rationale whereas Claim 23-24 are similar but not of same rationale, therefore Applicant wishes to review Examiner's argument with respect to independent claims 1, 23, and 24.

Claim 1

Unlike prior art, Applicant teaches a push notification and alert system to inform a subscriber of a telephone number concerning additional telephone numbers available for subscription and particularly of such additional telephone numbers that may be of significance or interest to the subscriber. Neither Quatse nor Trell read on the first recited step of Claim 1, "determining that at least one second phone number relating to said subscriber profile is available for subscription".

Quatse teaches providing additional information to a calling party, however such information does not determine whether a calling party might be interested in subscribing to another telephone number whereas ***Claim 1 does not in any way rely on a calling party***. Trell teaches offering of an additional telephone number ***but Trell relies on at least two conditions including a calling party having knowledge of such service and such a calling party initiating a call to such service.*** **Quatse and Trell do not teach the preamble** and all steps of Claim 1, alone or in combination, nor teach or contemplate any kind of provider initiated notification service suggesting to a subscriber the subscription of additional telephone numbers that may be of significance to the telephone subscriber.

Additionally, dependent Claims 2-20, inclusive, incorporate all the subject matter of Claim 1 and add additional subject matter, which makes them, a fortiori, independently patentable over these references. In light of the above, it is Applicant's belief that ***Examiner does not establish a prima facie case of obviousness*** under 35 U.S.C. §103.

Claim 23

Trell does not teach the last recited step of Claim 23, "communicating with said calling party to determine whether said calling party may be interested in subscribing to one of a said phone number and any available phone number" for at least a few reasons. First, Trell does not initiate communication with a calling party. For the fact that a subscriber initiates communication to the service of Trell there is no step needed to communicate and determine an interest level of subscriber. The subscriber is by default interested for the fact, that the subscriber initiated use of the service.

Examiner states that "it would have been obvious to one of ordinary skill to modify Quatse to include determining whether said calling party may be interested in subscribing to any available phone number, because the subscription would generate additional revenue to telephone companies, as specifically stated in Trell (col 5, lines 44-50)". It is already a known fact that subscribing to a telephone number will generate additional revenue to a telephone company and has nothing to do with anything taught by Trell. It is already known in the art that a subscriber can initiate contact with a telephone company at any time to request an additional telephone number.

For the sake of argument, even if Trell taught the last recited step of Claim 21 there would be no need for Quatse to have combined Trell because when Quatse notifies that the area code of the first phone number will change does not influence the need of the subscriber to have a reason to consider the availability of other phone numbers and there is no sense in pitching the dialed phone number the calling party since the dialed phone number will soon be no longer available for subscription once the area code change takes effect.

Therefore it is Applicant's belief that ***Examiner does not establish a prima facie case of obviousness*** under 35 U.S.C. §103.

Claim 24

Again Applicant teaches a push notification system which neither Quatse nor Trell teach. More specifically, neither Quatse nor Trell teach notification based on a specific relationship as to how a list of prospects are generated with respect to a list of phone numbers that have been determined available for subscription.

Furthermore, dependent Claim 25 incorporates all the subject matter of Claim 24 and add additional subject matter, which makes them, a fortiori, independently patentable over these references. In light of the above, it is Applicant's belief that ***Examiner does not establish a prima facie case of obviousness*** under 35 U.S.C. §103.

IV. Notice of References Cited, PTO-892

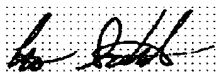
Applicant has carefully reviewed the references cited but not applied. Applicant respectfully submits that none of those references, alone or in any combination, remedy the deficiencies of the applied art, nor teach or suggest the claimed invention alone or in any combination.

V. Conclusion

For all of the above reasons, the present application and pending claims 1-25, as amended, are believed to be in condition for allowance. Applicant respectfully requests the Examiner to issue a formal Notice of Allowance directed to claims 1-25, inclusive.

Should the Examiner believe that a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact the Applicant at the telephone number listed below.

Respectfully submitted,



June 28, 2004

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